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MEMO ENDORSED

OCT - 4 2010

VIA FACSIMILE (212) 805-4258
The Honorable Debra Freeman
United States Magistrate Judge
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, New York 10007-1312

October 4, 2010

Parties to update the Court on settlement status after they meet

SO ORDERED: DATE: 10/7/10

DEBRA FREEMAN

UNITED STATES MAGISTRATE JUDGE

Re: Master File No. 1:00-1898 (SAS), MDL No. 1358
Defendants Tartan Oil Corp. and C.P. Service Station Operating Corp.
West Hempstead Water District v. AGIP, Inc. et al., 03-cv-10052
Village of Hempstead v. AGIP, Inc. et al., 03-cv-10055
Village of Mineola v. AGIP, Inc. et al., 03-cv-10051
Carle Place Water District v. AGIP, Inc. et al., 03-cv-10053
Town of Southampton v. AGIP, Inc. et al., 03-cv-10054
Town of East Hampton v. AGIP, Inc. et al., 03-cv-10056
Westbury Water District v. AGIP, Inc. et al., 03-cv-10057

Dear Magistrate Judge Freeman:

We are attorneys for defendants, Tartan Oil Corp. ("Tartan") and C.P. Service Station Operating Corp. ("CP S/S") (collectively, the "Tartan Defendants"), in the above-referenced actions.

Per Your Honor's instruction, as a follow up to the latest conference, this letter is being written to advise the Court on the status of settlement discussions. Plaintiffs and Tartan Defendants have scheduled to meet and confer for settlement discussions at our offices on Tuesday, October 12, 2010, at 11:00 a.m. (A copy of the confirming e-mail is attached). At this time, Plaintiffs have indicated that they do not wish to include the recently named Third-Party Defendant, Northville Industries Corp. ("Northville"), in these discussions.

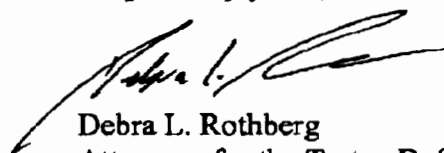
As you may be aware, Northville has filed a motion to dismiss Tartan's Third Party actions in lieu of filing an answer, and our opposition papers are due on October 15, 2010. Notwithstanding, Northville has agreed to proceed with discovery in the third-party matters. We have advised Northville that we will produce to them a CD containing all prior productions by Tartan in the next week or two and that at the same time we will propound discovery demands upon Northville. We understand the Plaintiffs are also assembling their production to date and

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will supply that to Northville. In light of the discovery deadlines in these cases, we are pleased that Northville is willing to submit to discovery at this time.

We appreciate your interest and will continue to keep you apprised of our progress in resolving the matters and in the discovery exchange process.

Respectfully yours,



Debra L. Rothberg
Attorneys for the Tartan Defendants

Encl.

cc: William Dubanevich, Esq. via e-mail w/ encl.
Michael B. Gallub, Esq. via e-mail w/ encl.